UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DISTRICT

JENNIFER PELLOW as Personal Representative of the Estate of NATHAN WESLEY PELLOW,

Case No: 15-11765

Plaintiff,

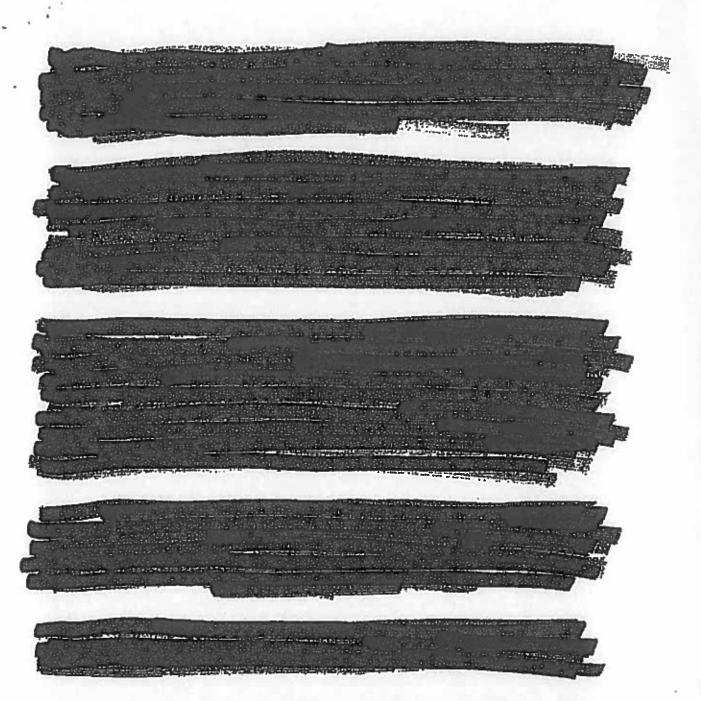
Hon. Terrance G. Berg Magistrate R. Steven Whalen

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KEVIN BARNHILL, SHANE MCKIBBEN, ROBERT ROY, JOHN ADAMS, and DALE VAN HORN, Jointly and Severally,

Defendants.

EXHIBIT 8



*G. There was an accident where a motor vehicle ran into a trailer on Doncea Street in the spring of 2013. Officers Kevin Barnhill and Shane McKibben responded to the scene. After several minutes these officers requested assistance and dispatch was unable to locate backup officers due to an unusually high amount of calls for service. I notificed dispatch that I was several miles away but would be responding for assistance. When I arrived, the two police officers along with five or six firemen had a white male on the ground and it took several minutes to get the man cuffed. After cuffed, 240-pound Officer McKibben stood on the back of the arrested person while he was face down on the ground. I ordered McKibben to get off of the man and noticed that he was having difficulty breathing and summoned fire personnel that had walked away.

Captain Matheny responded to the scene and I informed him of the facts that I had to that point. I also advised Matheney of McKibben's actions and Matheny responded, "that never happened".

Subsequently, the man died a short time later. Barnhill suffered an injury to a shoulder and was sent to the clinic. I spoke with Barnhill and McKibben over the next couple of work days and both officers stated that they were upset and losing sleep over the incident. I suggested to Matheney that Barnhill and McKibben might benefit from speaking with a professional counselor/therapist. Neither officer received counseling assistance. Matheney also told me, McKibben and Barnhill that he would hold a debriefing with the three of us, but after several inquiries over several months, the debriefing never took place.

